

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known as
THE ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 10-05354 (SMB)

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Irving H. Picard, as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa *et seq.*, and the substantively consolidated Chapter 7 estate of Bernard L. Madoff, hereby appeals to the United States District Court for the Southern District of New York under 28 U.S.C. § 158(a)(1), from each and every aspect of the final judgment annexed hereto as Exhibit 1 (the “Final Judgment”) of the Honorable Stuart M. Bernstein of the United States Bankruptcy Court for the Southern District

of New York, entered in the above-captioned adversary proceeding, *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. No. 10-05354 (SMB) (Bankr. S.D.N.Y. Apr. 10, 2020), ECF No. 201, and in the main adversary proceeding, resulting in the dismissal of all of the Trustee's claims against the defendant, ABN AMRO Bank N.V.,¹ including, without limitation, the following:

1. Memorandum Decision Denying Trustee's Motion for Leave to File a Second Amended Complaint (annexed hereto as Exhibit 2). *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. No. 10-05354 (SMB) (Bankr. S.D.N.Y. Mar. 31, 2020), ECF No. 200;

2. Memorandum Decision Denying the Trustee's Motion for Discovery Pursuant to Rule 26(d) of the Federal Rules of Civil Procedure (annexed hereto as Exhibit 3). *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. No. 10-05354 (SMB) (Bankr. S.D.N.Y. Jun. 5, 2018), ECF No. 167;

3. Order Denying the Trustee's Motion for Discovery Pursuant to Rule 26(d) of the Federal Rules of Civil Procedure (annexed hereto as Exhibit 4). *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. No. 10-05354 (SMB) (Bankr. S.D.N.Y. June 18, 2018), ECF No. 168;

4. Opinion and Order (annexed hereto as Exhibit 5). *Securities Investor Protection Corp. v. Bernard L. Madoff Investment Securities LLC (In re Madoff Sec.)*, 516 B.R. 18 (S.D.N.Y. Apr. 28, 2014) (No. 12-mc-115(JSR)), ECF No. 524.

The names of the relevant parties to the Final Judgment appealed, and the contact information of their attorneys, are as follows:

¹ ABN AMRO Bank N.V. changed its name to The Royal Bank of Scotland N.V. on February 6, 2010, and then to NatWest Markets N.V. on May 30, 2018.

Trustee / Appellant	Counsel for Trustee / Appellant
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New York, New York

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Liquidation of Bernard L. Madoff Investment
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